



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 03-647
March 7, 2003

WIRELESS TELECOMMUNICATIONS BUREAU CLARIFIES CONSTRUCTION REQUIREMENTS FOR THE PRIVATE RADIO SERVICES

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) delineates the scope of the construction notification requirements for certain licenses under rule Parts 80, 87, 90, and 101 (see radio service codes listed below). Specifically, we clarify that for those services in which construction deadlines were not assigned prior to implementation of the Universal Licensing System (ULS) for that service, the requirement to file notifications applies only to applications granted after the service was converted to ULS.

By way of background, licenses in many of the Wireless Radio Services have always been subject to rule-based construction requirements. Until recently, however, no verification or compliance notification mechanism was in place for these services. Instead, the Commission relied on the licensees in these services to notify the Commission when a station was not constructed. The Commission implemented a construction notification requirement for these services in the ULS rulemaking proceeding.¹ The Commission noted that this notification requirement would improve the accuracy and integrity of the ULS database by ensuring compliance with the construction requirements.

Licensees are required to certify compliance with construction requirements relating to new applications or modification applications that involve additional frequencies. The requirement to file construction notifications went into effect on July 1, 1999, or six months after the commencement of application processing in ULS for a particular service, whichever is later. (The dates on which the construction notification requirement became effective for specific services are listed below.) For those services in which construction deadlines were not assigned prior to implementation in ULS, the requirement to file notifications applies only to applications granted after the service was converted to ULS. In order to determine if a license is subject to a construction notification requirement, you may query the license on ULS at <http://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp> and check for the presence of construction deadline under the Frequency tab. If no construction deadline is listed, you are not required to file a construction notification.

Part 101 Microwave Services – March 1, 2000:

<u>Radio Service</u>	<u>Code</u>
Common Carrier Digital Electronic Message Service (DEMS)	CE
Local Television Transmission	CT
Common Carrier Point-to-Point	CF
Private Digital Electronic Message Service (DEMS)	PE
Private Point-to-Point Microwave, Eligibility – Aviation	WA
Private Point-to-Point Microwave, Eligibility – Industrial/Business	MG
Private Point-to-Point Microwave, Eligibility – Marine	WM

¹ See Biennial Regulatory Review – Amendment of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, *Report and Order*, WT Docket No. 98-20, 13 FCC Red 21027, 21076 ¶ 106 (1998).

Private Point-to-Point Microwave, Eligibility - Public Safety	MW
Private Point-to-Point Microwave, Eligibility – Radiolocation	WR

Part 90 Private Land Mobile Radio Services, Phase I – March 20, 2001

<u>Radio Service</u>	<u>Code</u>
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Land Mobile Radiolocation	RS
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220 MHz:

Non-nationwide Public Safety/Mutual Aid	QM
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218-219 MHz Service	ZV
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Part 90 Private Land Mobile Radio Services, Phase II – April 25, 2001²

<u>Radio Service</u>	<u>Code</u>
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Public Safety/Special Emergency:

806-821/851-866 MHz, Conventional	GP
806-821/851-866 MHz, Trunked	YP
Public Safety Pool, Trunked	YW
Public Safety Pool, Conventional	PW

Public Safety National Plan

821-824/866-869 MHz, Conventional	GF
821-824/866-869 MHz, Trunked	YF

Part 90 Private Land Mobile Radio Services, Phase III – June 5, 2001³

<u>Radio Service</u>	<u>Code</u>
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Industrial Business Pool:

Conventional	IG
Trunked	YG

Business for 800/900 MHz:

Business, 806-821/851-866 MHz, Conventional	GB
Business, 896-901/935-940 MHz, Conventional	GU
Business, 806-821/851-866 MHz, Trunked	YB
Business, 896-901/935-940 MHz, Trunked	YU

Industrial/Land Transportation 800/900 MHz:

806-821/851-866 MHz, Conventional	GO
896-901/935-940 MHz, Conventional	GI
806-821/851-866 MHz, Trunked	YO
896-901/935-940 MHz, Trunked	YI

² Prior to implementation of ULS, notifications were required for 470-512 MHz frequencies in accordance with Section 90.313 of the Commission's Rules, 47 C.F.R. § 90.313 and 800/900 MHz frequencies in accordance with Section 90.651 of the Commission's Rules, 47 C.F.R. § 90.651.

³ Prior to implementation of ULS, notifications were required for 470-512 MHz frequencies in accordance with Section 90.313 of the Commission's Rules, 47 C.F.R. § 90.313 and 800/900 MHz frequencies in accordance with Section 90.651 of the Commission's Rules, 47 C.F.R. § 90.651.



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Maritime Coast – October 30, 2001⁴

<u>Radio Service</u>	<u>Code</u>
Marine Auxiliary Group	MA
Coastal Group	MC
Alaska Group	MK
Marine Radiolocation Land	MR

Aviation Ground – October 30, 2001⁵

<u>Radio Service</u>	<u>Code</u>
Aviation Auxiliary Group	AA
Aeronautical and Fixed	AF
Aviation Radionavigation	AR

NOTE: Currently, licensees in the **Part 74 Broadcast Auxiliary Services** (AB, AI, AS, LP, RP, TI, TP, TS, TT) are not required to file a Notification of Construction. However, the *Report and Order* in ET Docket No. 01-75, released November 13, 2002, amended the Commission's Rules to impose a construction completion notification requirement.⁶ This requirement will be effective 30 days after the *Report and Order* is published in the Federal Register.

For Further Information or Assistance: For general information about Construction/Coverage Requirements, the Commission recommends you consult the ULS web page at <http://wireless.fcc.gov/licensing/const-req/>. Specific questions not addressed on the web page may be directed to Commission staff via phone or email as discussed below.

FCC Technical Support Hotline: Call 202-414-1250 (TTY 202-414-1255), or send e-mail to ulscmm@fcc.gov. Contact the Technical Support Hotline with questions concerning computer access to ULS, FRNs, file uploads, or submitting attachments. The hotline is available Monday-Friday from 8 a.m. to 6 p.m., Eastern Time (except federal holidays).

ULS Licensing Support and Forms Information: Call 1-888-CALLFCC (225-5322) and select option #2, or call 717-338-2888. Send e-mail to ulshelp@fcc.gov. Contact Licensing Support with questions about application purpose(s), FCC forms or schedules, or other ULS-related licensing matters. ULS Licensing Support is available Monday-Friday, 8:00 a.m. to 5:30 p.m., ET (except federal holidays).

To provide quality service and ensure security, all calls to the hotlines are recorded.

⁴ Prior to implementation of ULS, activation notices were required in accordance with Section 80.49 of the Commission's Rules, 47 C.F.R. § 80.49, for certain station classes.

⁵ Prior to implementation of ULS, activation notices were required in accordance with Section 87.45 of the Commission's Rules, 47 C.F.R. § 87.45, for certain station classes.

⁶ See Revisions to Broadcast Auxiliary Service Rules in Part 74 and Conforming Technical Rules for Broadcast Auxiliary Service, Cable Television Relay Service and Fixed Services in Parts 74, 78 and 101 of the Commission's Rules, *Report and Order*, ET Docket No. 01-75, 17 FCC Rcd 22979 (2002).